

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>ACCESS FOR THE DISABLED, INC.</b>	)	
<b>a Florida not for profit corporation, and DENISE</b>	)	
<b>PAYNE Individually</b>	)	
	)	<b>2:10-cv-50</b>
<b>Plaintiffs,</b>	)	
	)	
<b>v</b>	)	
<b>MEYER JABARA HOTELS, LLC.</b>	)	
<b>A Foreign Corporation</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER OF COURT**

Pending before the Court is Plaintiffs' CONSENT MOTION TO SUBSTITUTE DEFENDANT, filed at Document Number 17, seeking to substitute Defendant in this civil action with HIPA Associates, LLC, a company recently appointed to serve as receiver for the commercial use property owned, leased, leased to, and/or operated by Defendant that is the subject of the Plaintiffs' claims. Counsel for Defendant consents to the motion. While a copy of the motion has been served on all parties, there is no indication that the motion has been served on HIPA Associates, LLC, a nonparty to the matter *sub judice*, as required under Federal Rule of Civil Procedure 25. As such, Plaintiffs' consent motion is hereby **DENIED WITHOUT PREJUDICE**.

So ORDERED, this 6th day of August, 2010.

BY THE COURT:

s/ Terrence F. McVerry  
\_\_\_\_\_  
United States District Court Judge

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